

BILL NO. G-75-12-17

GENERAL ORDINANCE NO. G- 32-25

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a portion of Barr
Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Barr Street
having been filed with the Fort Wayne City Plan Commission on November 17,
1975, following a public hearing thereon, all in accordance with Section 44,
Chapter 174, of the Acts of the General Assembly of the State of Indiana, as
amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly
of the State of Indiana (Burns Ind. Stat. 1974 Replacement, Sec. 53-744), the
Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the
Common Council of the City of Fort Wayne on November 26, 1963, is amended
by deleting the following portion of Barr Street, Fort Wayne, Allen County,
Indiana, to-wit:

That portion of Barr Street from the north right-of-way line
of Elizabeth Street, north to a point 18 feet south of the
south line of Vacated Kamm Street. The northerly terminus
also being the southline of said Barr Street previously
vacated

SECTION 2. After passage of this Ordinance, approval by the Mayor
and legal publication, a duly certified copy of this Ordinance, of the recommenda-
tion of the Fort Wayne City Plan Commission, and of the action of the Mayor,
shall be transmitted by the City Clerk to the Board of Public Works of the City
of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from
and after its passage, approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Surge, and duly adopted; read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 12-9-75 Charles W. Winterman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage.

Passed (~~LAST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
KRAUS	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 12-23-75 Charles W. Winterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 232-75 on the 23rd day of December, 1975.

ATTEST: (SEAL) James Sinter
Charles W. Winterman PRESIDING OFFICER
CITY CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1975, at the hour of 4:00 o'clock P. M., E.S.T.

Charles W. Winterman
CITY CLERK

Approved and signed by me this 29th day of December, 1975, at the hour of 9:00 o'clock A. M., E.S.T.

James Sinter
MAYOR

Bill No. G-75-12-17

REGULATIONS

REPORT OF THE COMMITTEE ON

We, your Committee on REGULATIONS to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a
portion of Barr Street

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance 102 PASS.

John Nuckols

Vivian G. Schmidt

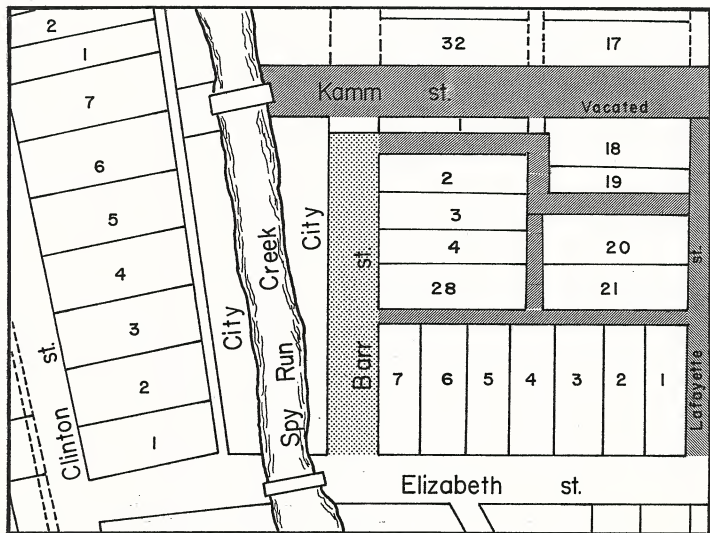
Paul M. Burns


Samuel J. Talarico


Donald J. Schmidt

CONCURRED IN

DATE 12/3/75 CHARLES W. WESTERMAN, CITY CLERK



 To be Vacated

 Vacated

10-7-75

A-5

L.S.





COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

November 26, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

That portion of Barr Street from the north right-of-way line of Elizabeth Street, north to a point 18 feet south of the south line of Vacated Kamm Street. The northerly terminus also being the south line of said Barr Street previously vacated.

which was approved by the City Plan Commission at its regular meeting held November 24, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of November, 1975.

Charles N. Hall
Secretary

pr



R E S O L U T I O N

WHEREAS, INDIANA & MICHIGAN ELECTRIC COMPANY, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public streets and alleys in Allen County, Indiana, to-wit:

That portion of Barr Street from the north right-of-way line of Elizabeth Street, north to a point 18 feet south of the south line of Vacated Kamm Street. The northerly terminus also being the south line of said Barr Street previously vacated.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. §53-744 (Burns' 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on November 17, 1975, at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public streets and alleys;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public streets and alleys hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and alley hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Vivian G. Schmidt, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a RESOLUTION adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on November 17, 1975, and as the same appears of record in the official records of said Plan Commission.

Dated the 24th day of November, 1975.

Vivian G. Schmidt
Vivian G. Schmidt, President
Fort Wayne City Plan Commission

PETITION FOR VACATION OF STREET

Fort Wayne, Indiana

TO: Plan Commission of the City of Fort Wayne
The Common Council of the City of Fort Wayne
The Board of Public Works of the City of Fort Wayne

Gentlemen:

Indiana & Michigan Electric Company, owner of real estate in the City of Fort Wayne, Allen County, Indiana, described as follows:

Lot numbered 7 of Mowrer's Subdivision; lots numbered 1, 2, 3 and 4 of Hofer's Addition; and lot numbered 28 of Burgess, Zollinger & Kamm's Addition, all to the City of Fort Wayne, Indiana;

constituting all the real estate abutting on the east side of the street herein sought to be vacated, respectfully petitions and requests that:

1. The Fort Wayne City Plan Commission hold a public hearing upon the vacation of the following described portions of streets and alleys within the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of Barr Street from the north right-of-way line of Elizabeth Street, north to a point 18 feet south of the south line of Vacated Kamm Street. The northerly terminus also being the south line of said Barr Street previously vacated;

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §53-744).

2. Upon determination that the vacation of said public streets and alleys hereinabove described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana, the Fort Wayne City Plan Commission approve the vacation of the said public streets and alleys hereinabove described pursuant to the provisions of the above-mentioned statute.

3. The Common Council of the City of Fort Wayne enact an ordinance to amend the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on Novem-

ber 26, 1963, by authorizing the vacation of said public streets and alleys hereinabove described in accordance with the terms of Section 42, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §53-742), and the aforementioned Section 44 of Chapter 174 of the Acts of 1947.

4. The Board of Public Works of the City of Fort Wayne pass a resolution providing for the vacation of said streets and alleys as hereinabove described in accordance with the terms of Section 93, Chapter 129 of the Acts of 1905, as amended by Section 8, Chapter 188 of the Acts of 1909 and Section 1, Chapter 85 of the Acts of 1913 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §48-1902) and Section 97, Chapter 129 of the Acts of 1905 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §48-2001).

Respectfully submitted,

INDIANA & MICHIGAN ELECTRIC COMPANY

By: 

Charles R. Cogdell

LIVINGSTON, DILDINE, HAYNIE & YODER
425 Lincoln Bank Tower
Fort Wayne, Indiana
Attorneys for Indiana &
Michigan Electric Company



INDIANA & MICHIGAN ELECTRIC COMPANY

2101 Spy Run Avenue, P. O. Box 60, Fort Wayne, Indiana 46801

November 17, 1975

Mr. Owen Donnelly, Director
Community Planning and Research
City-County Building
Room 980
Fort Wayne, Indiana 46802

Dear Mr. Donnelly:

As you are aware, Indiana & Michigan Electric Company, as the owner of all the properties on the east side of Barr Street north of Elizabeth Street, has petitioned the City for the vacation of said street. In so doing, it has been brought to our attention that the City has plans for a hiking trail along the banks of Spy Run Creek as part of a proposed River Greenway Plan.

It is our understanding that in order to effect such a plan, the City proposes to acquire title to or easements over Spy Run Creek frontage to a minimum of 25 feet from the high-water mark to an optimum of 200 feet. Inasmuch as the subject portion of Barr Street is within 200 feet of said high-water mark, the City is somewhat reluctant to consent to the vacation thereof.

In view of the foregoing and in order to induce the City to consent to and grant said vacation, Indiana & Michigan Electric Company will grant a right-of-way and easement to the City for said proposed Greenway Plan across part of vacated Barr Street as follows:

A part of the southeast quarter of Section 35, Township 31 North, Range 12 East, Washington Township, Fort Wayne, Indiana, and further described as follows: That part of (vacated) North Barr Street beginning at the intersection of the north line of Elizabeth Street and the west line of said North Barr Street; thence extending north along said west line of North Barr Street, a distance of 147 feet; thence extending southeasterly a distance of 155 feet, more or less, to the intersection of the north line of said Elizabeth Street and the east line of said North Barr Street, last said point also being the southwest corner of Lot No. 7 in Mowrer's Subdivision; thence extending west a distance of 50 feet to the place of beginning.



2101 Spy Run Avenue, P. O. Box 60, Fort Wayne, Indiana 46801

November 17, 1975

Mr. Owen Donnelly, Director

Page Two

Indiana & Michigan Electric Company also recognizes that the City desires to acquire a right-of-way across certain real estate of I & M fronting on Spy Run Creek and commonly referred to as its Spy Run Complex, such strip constituting the real estate west of a line 25 feet equidistant from the top of the high-bank adjacent to an existing I & M chain-link fence running along said creek beginning at a railroad spur on the south and following the meanderings of said creek to the City-owned property along Clinton Street on the north. Upon the formalization of the plans and the funding of such Greenway Project, we will, as a further inducement to the City to grant said vacation, grant a right-of-way and easement, provided, however, that the Indiana & Michigan Electric Company is compensated in full for any and all expenses connected with the transfer or relocation of any equipment or structures, including but not limited to, fences, poles, guylines, towers, lines, railroads and buildings, which would, in the opinion of I & M, be required to be transferred or relocated in the granting of such an easement. Furthermore, we shall set back all proposed future structures a sufficient distance for said strip to avoid unnecessary additional expenses which might otherwise result.

The City has also acknowledged recognition that I & M will be constructing a new tower line to connect to a proposed 138 KV Substation which will necessitate the granting of an easement across City-owned real estate within said Greenway Plan adjacent to the Spy Run Complex. Accordingly, I & M agrees that it will construct such tower an optimum of 25 feet from the top of the bank of Spy Run Creek in return for the granting of such easement by the City.

Very truly yours,

Richard C. Menge

Richard C. Menge
Division Manager

DIGEST SHEET

TITLE OF ORDINANCE Street vacation ordinance12-7512-17DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSIONSYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the following
described street:That portion of Barr Street from the north right-of-way line of ElizabethStreet, north to a point 18 feet south of the south line of Vacated KammStreet. The northerly terminus also being the south line of said Barr Streetpreviously vacated.EFFECT OF PASSAGE When vacation, street will be utilized by abutting
property owners.EFFECT OF NON-PASSAGE Street will remain as is.MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

December 30, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of January 2 and January 9, 1976, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-75-12-16
General Ordinance No. G-31-75

Bill No. G-75-12-17
General Ordinance No. G-32-75

Bill No. G-75-12-20
General Ordinance No. G-33-75

Bill No. G-75-12-21
General Ordinance No. G-34-75

Bill No. G-75-12-30
General Ordinance No. G-35-75

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 4

.....Fort Wayne Common Council.....
 (Governmental Unit)

ToNEWS-SENTINEL.....Dr.

.....Allen.....County, Ind.

.....FORT WAYNE, INDIANA.....

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

1

Body number of lines

91

Tail number of lines

1

Total number of lines in notice

93

COMPUTATION OF CHARGES

.....93 lines,.....1 column wide equals.....93 equivalent lines at......288¢ cents per line

\$ 26.78

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

\$ 1.50

TOTAL AMOUNT OF CLAIM

\$ 28.28

COST

.....11 column 11 ems

Size of type.....5 1/2 point

.....2 insertions

Size of quad upon which type is cast.....5 1/2

.....and penalties of Ch. 89, Acts 1967.

.....foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

.....19 76.....

.....V. E. Gerken.....
 Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

.....ALLEN.....County

Personally appeared before me, a notary public in and for said county and state, the undersigned.....V. E. Gerken.....who, being duly sworn, says

that.....She is.....Clerk.....of the

.....NEWS-SENTINEL.....

.....DAILY.....

a.....newspaper of general circulation printed and published in the English language in the city.....Fort Wayne, Indiana.....

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for.....two.....

time.....8.....the dates of publication being as follows:

1/2-9/76

.....V. E. Gerken.....
 Subscribed and sworn to before me this.....9th.....day.....January.....19.....76

Notary Public

My commission expires.....September 28, 1979.....

LEGAL NOTICE

Notice is hereby given that on the 22nd day of December, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-32-75 General Ordinance, to-wit:

BILL NO. G-32-75

GENERAL ORDINANCE NO. G-32-75

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Barr Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Barr Street having been filed with the Fort Wayne City Plan Commission on November 17, 1975, following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1943 of the General Assembly of the State of Indiana (Burns Ind. Stat. 1974 Replacement, Sec. 53-744), the Thorndyke Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Barr Street, Fort Wayne, Allen County, Indiana, to-wit:

That portion of Barr Street from the north right-of-way line of Elizabeth Street, north to a point 18 feet south of the south line of Vacated Kamp Street. The northerly terminus also being the south line of said Barr Street previously vacated.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of the Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols, Councilman.

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, signed and passed by the following vote: Ayes: Nine: Burris, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Siler, Talarico; Nays: None.

Date: 12-23-75.

Charles W. Westerman, City Clerk.

Passed 12-23-75 and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-32-75 on the 22nd day of December, 1975.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1975, at the hour of 4:00 o'clock P.M., A. S. T.

Charles W. Westerman, City Clerk.

Approved and signed by me this 29th day of December, 1975, at the hour of 9:00 o'clock A.M., E. S. T.

Ivan A. Lebamoff, Mayor.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-32-75 passed by the Common Council on the 22nd day of December, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of December, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of December, 1975.

Charles W. Westerman, City Clerk.

SEAL.

1/29

Ft. Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	<u>1</u>
Body number of lines	<u>91</u>
Tail number of lines	<u>1</u>
Total number of lines in notice	<u>93</u>

COMPUTATION OF CHARGES

93 lines, 1 columns wide equals 93 equivalent lines at .288¢ cents per line \$ 26.78

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM = \$ 28.28

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 9, 19 76

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

that S he is Clerk who, being duly sworn, says

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time 8 the dates of publication being as follows:

1/2-9/76

Subscribed and sworn to before me this 9th day of January 19 76

Notary Public

My commission expires September 28, 1979

COPY OF
SENT HERE

persive than buying com-
mercially processed fruits
and vegetables."
Don't be too discouraged.
An efficiently managed home
freezer does save money for
many a family. Dr. Johnson
will the mark with another

r Subst

Mr. and Mrs. Wayne
Meyers-Buuck

wedding.
No date has been set for their
student at Purdue University.
on High School and is also a
 fiancee graduated from Mar-
tier at Purdue University. Her
High School and is a student

Mayor on the 29th day of December, 1975
and now remains on file and on record in
my office.

WITNESS my hand, and the official
seal of the City of Fort Wayne, Indiana,
this 29th day of December, 1975.
Charles W. Westerman, City Clerk.

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

28.28

ING COST

Single column 11 ems

Size of type 5½ point

insertions 2

Size of quad upon which type is cast 5½

on and penalties of Ch. 89, Acts 1967.

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

1/2-9/76

Subscribed and sworn to before me this 9th day of January 1976

Arvilla DeWald

Notary Public

My commission expires September 28, 1979

LEGAL NOTICE

Notice is hereby given that on the 23rd day of December, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-12-17, G-75-75 General Ordinance, to-wit:

BILL NO. G-75-12-17

GENERAL ORDINANCE NO. G-32-75 AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Barr Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Barr Street having been filed with the Fort Wayne City Plan Commission on November 17, 1975, following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat. 1974 Replacement, Sec. 33-244), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Barr Street, Fort Wayne, Allen County, Indiana, to-wit:

That portion of Barr Street from the north right-of-way line of Elizabeth Street, north to a point 18 feet south of the south line of Vacated Kann Street. The northerly terminus also being the southline of said Barr Street previously vacated.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols, Councilman.

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote: Ayes: Nine: Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Siler, Taliaferro; Nays: None.

Date: 12-23-75.

Charles W. Westerman, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-32-75 on the 23rd of December, 1975.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1975, at the hour of 4:00 o'clock P.M., E.S.T.

Charles W. Westerman, City Clerk. Approved and signed by me this 29th day of December, 1975, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebaronoff, Mayor.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-32-75 passed by the Common Council on the 23rd day of December, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of December, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of December, 1975.

Charles W. Westerman, City Clerk.

SEAL.

1/29

To JOURNAL-GAZETTE Dr

FORT WAYNE, INDIANA

LINE COUNT

Head	number of lines	<u>1</u>
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Tail	number of lines	<u>1</u>
	Total number of lines in notice	<u>93</u>

93 lines, 1 column wide equals 93 equivalent lines at .288¢
cents per line 26.78

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM	28.28
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Width of single column 11 ems Size of type $5\frac{1}{2}$ point

Number of insertions 2 Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 9 19 76

Title _____ CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city } of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

1/2-9/76

Subscribed and sworn to before me this 9th day of January 1976

My commission expires September 28, 1979

[illegible]